

Translation

PATENT COOPERATION TREATY

PCT/FR2003/000270



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference DU13-003B WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/FR2003/000270	International filing date (<i>day/month/year</i>) 28 janvier 2003 (28.01.2003)	Priority date (<i>day/month/year</i>) 23 octobre 2002 (23.10.2002)
International Patent Classification (IPC) or national classification and IPC B62D 65/00, B65G 17/18, 49/04		
Applicant DÜRR SYSTEMS GMBH		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u> </u> sheets.</p>	
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>	

Date of submission of the demand 22 mai 2004 (22.05.2004)	Date of completion of this report 09 September 2004 (09.09.2004)
Name and mailing address of the IPEA/EP	Authorized officer
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I. Basis of the report

1. This report has been drawn on the basis of (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.):

- ☐ the international application as originally filed.
- ☒ the description, pages 1-22, as originally filed,
 pages _____, filed with the demand,
 pages _____, filed with the letter of _____,
 pages _____, filed with the letter of _____.
- ☒ the claims, Nos. 1-8, 10-14, as originally filed,
 Nos. _____, as amended under Article 19,
 Nos. _____, filed with the demand,
 Nos. _____, filed with the letter of _____,
 Nos. _____, filed with the letter of _____.
- ☒ the drawings, sheets/fig 1/6-6/6, as originally filed,
 sheets/fig _____, filed with the demand,
 sheets/fig _____, filed with the letter of _____,
 sheets/fig _____, filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-8, 10-14	YES
	Claims		NO
Inventive step (IS)	Claims	1-8, 10-14	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-8, 10-14	YES
	Claims		NO

2. Citations and explanations

1. Reference is made to the following documents:

D1: FR-A-2 756 815;

D2: WO-A-00 78594.

2.1 The following is known from the disclosure in document D1 (see, in particular, page 7, line 27 to page 12, line 5 and figures 1A, 1B, 1C, 2A and 2B):

a facility comprising a single conveyor positioned along the centre line of the load path by means of a tow chain and a rail, which extends the entire length of the facility.

The arrangement of the above assembly corresponds to the configuration described in the characterising portion of claim 1.

2.2 The facility described in document D2 does not disclose any modifications to the tow function of the means known from document D1 because document D2 discloses only a cable (13), instead of a chain (D1), which cable has solely a tow function and is separate from a stationary supporting system that

has a load-bearing function.

Moreover, as is the case with document D1, the following is present in document D2:

- a rail (12), which extends the entire length of the facility;
- each load is suspended from said stationary load-bearing rail by means of a movable carriage (5);
- carriage movement is guided, with said carriage sliding along said stationary rail 12; and said carriage is attached by means of a device (31) to the tow cable (13).

2.3 It follows that certain differences can be identified between claim 1 of the application and the prior art as defined in document D1 and/or document D2. Firstly, every cable in the facility currently being examined has both a tow function and a load-bearing function. Secondly, the suspended loads are supported only by the cables between the guide wheels of the tensioned overhead cable. Finally, the conveyors in the application are symmetrical and positioned on either side of the load path and said loads move between two conveyors, with each load being suspended from arms perpendicular to said two conveyors.

2.4 The improvements to the prior art in this technical field, as proposed by the present application, are obvious, namely:

The application

- combines the load-bearing and tow functions that the transport cables in each conveyor have with regard to the loads transported, while,

nevertheless, maintaining said cables tensioned on guide wheels in a predetermined circuit; and

- uses the balancing capacity that one pendulum, which suspends a specific load from a specific cable on a guide wheel, has with the other pendulum associated with the same load and the same cable, both necessarily in an area of the circuit where the cable is not guided or even over sections of varying heights.

3. None of the other cited documents comprises similar solutions or suggests facilities that have the same distinctive features. The subject matter of claim 1 is, therefore, novel and inventive in relation to the knowledge of a person skilled in the art, as represented by documents D1 and D2.

Claim 1 fulfils the requirements set forth in PCT Article 33(1) to (4).

4. Claims 2 to 8 and 10 to 14, which are dependent on independent claim 1, disclose modifications to the main facility claimed. Said modifications are not anticipated by the documents cited. The subject matter of claims 2 to 8 and 10 to 14 is, therefore, also novel and inventive.

Claims 2 to 8 and 10 to 14 fulfil the requirements set forth in PCT Article 33(1) to (4).

5. Contrary to the requirements of PCT Rule 5.1(a)(ii), the description does not indicate the relevant prior art disclosed in documents D1 and D2, nor does it cite said documents.

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6. In the application, the text of claim 9 is missing from the set of claims.